

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

MARTIN MORENO,

Plaintiff,

v.

CIV. No. 14-997 JAP/GBW

CR. No. 12-694 JAP

UNITED STATES OF AMERICA,

Defendant.

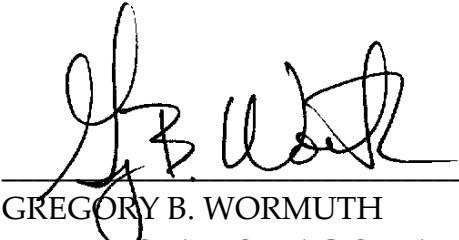
ORDER DENYING MOTION FOR DISCOVERY

This matter is before the Court on Plaintiff's Motion for Discovery. *Doc. 10.*

Having reviewed the Motion, the Court finds that it should be DENIED AS MOOT.

Under Rule 6(a) of the Rules Governing § 2255 Proceedings, "[a] judge may, for good cause, authorize a party to conduct discovery" Plaintiff's Motion seeks copies of (1) the federal indictment, (2) the warrant, (3) the criminal complaint, (4) transcripts, and (5) the plea agreement. *Id.* Items (2) and (4) are attached as exhibits to Defendant's Response. *Doc. 9*, Exs. 2-3, 5. Items (1), (3), and (5) are available on the criminal docket of Plaintiff's case, *United States v. Moreno*, 1:12-cr-00694-JAP-1, as *doc. 88* (Plea Agreement), *doc. 1* (Complaint), *doc. 13* (Redacted Indictment), *doc. 48* (Redacted Superseding Indictment), & *doc. 78* (Second Superseding Indictment). Nonetheless, the Court has also attached the latter set of items to this Order as Exhibits 1–5.

As Plaintiff already has access to the documents he requests, IT IS HEREBY
ORDERED that Plaintiff's Motion for Discovery, (*doc. 10*), is DENIED AS MOOT.



GREGORY B. WORMUTH
UNITED STATES MAGISTRATE JUDGE